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5 Attorneys for Defendant  
U.S. Bank, National Association as Legal Title Trustee for the Truman 2016 SC6  
6 Title Trust

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

11 AMELIA SALDANA, as trustee of the  
12 Saldana Revocable Family Trust and  
13 JOSE G. SALDANA, JR., trust  
beneficiary,

**Plaintiffs,**

15

16 WELLS FARGO BANK, N.A.; THE  
17 BANK OF NEW YORK MELLON, f/k/a  
18 THE BANK OF NEW YORK as Trustee  
19 for the WORLD SAVINGS REMIC 24,  
20 MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 24 TRUST,  
US BANK NATIONAL ASSOCIATION  
AS LEGAL TITLE TRUSTEE FOR  
TRUMAN 2016 SC6 TITLE TRUST and  
DOES 1-100, inclusive,

## Defendants.

**CASE NO. 4:18-CV-01049-HSG**

**STIPULATION FOR ORDER  
PERMITTING TELEPHONIC  
APPEARANCE AT CASE  
MANAGEMENT CONFERENCE  
AND MOTION TO  
DISMISS/STRIKE HEARINGS**

Date: September 6, 2018  
Time: 2:00 p.m.

Ctrm.: 2 (4<sup>th</sup> Floor)

Judge: Hon. Hay

Action Filed: January 17, 2018

Removed: February 16, 2018

TO THE HONORABLE HAYWOOD S. GILLIAM, JR.:

25 This Stipulation for Order Permitting Telephonic Appearance of Defendant  
26 U.S. Bank, National Association as Legal Title Trustee for the Truman 2016 SC6  
27 Title Trust (“U.S. Bank”) at the Case Management Conference and Motions to  
28 Dismiss and Strike scheduled for September 6, 2018 is made and entered into by and

1 among Plaintiffs Amelia Saldana, as trustee of the Saldana Revocable Family Trust  
2 and Jose G. Saldana, Jr., trust beneficiary (“Plaintiffs”) and Wells Fargo Bank, N.A.  
3 successor by merger with Wells Fargo Bank Southwest, N.A., f/k/a Wachovia  
4 Mortgage, FSB and World Savings Bank, FSB (“Wells Fargo”) and The Bank of New  
5 York Mellon, f/k/a the Bank of New York (collectively the “Bank Defendants”) and  
6 U.S. Bank (collectively the “Parties”), by and through their respective counsel.

7 **RECITALS**

8 WHEREAS, the Bank Defendants’ demurrer to plaintiffs’ complaint is set for  
9 hearing on September 6, 2018 and is fully briefed [Doc 28];

10 WHEREAS, U.S. Bank’s demurrer and motion to strike was set for hearing on  
11 October 25, 2018 and is fully briefed [Doc 31 and 32];

12 WHEREAS, this Court, *sua sponte*, advanced U.S. Bank’s demurrer and  
13 motion to strike hearing to September 6, 2018 [Doc 35];

14 WHEREAS, a Case Management Conference is scheduled in this Court on  
15 September 6, 2018 at 2:00 p.m.;

16 WHEREAS, U.S. Bank’s counsel is in San Diego, California. Therefore,  
17 making a personal appearance will involve travel costs and expenses that could  
18 otherwise be avoided by making a telephonic appearance; and

19 WHEREAS, the Parties agree that the Case Management Conference can and  
20 should go forward with U.S. Bank’ attorney appearing telephonically throughout the  
21 conference and at the motion to dismiss and strike hearings.

22 **STIPULATION**

23 NOW, THEREFORE, BASED UPON THE FOREGOING RECITALS, THE  
24 PARTIES HEREBY STIPULATE AND AGREE AS FOLLOWS:

25 1. U.S. Bank’s counsel is permitted to appear telephonically for the Case  
26 Management Conference and Motion to Dismiss and Strike hearings on September 6,  
27 2018, subject to Court approval.

1 IT IS SO STIPULATED.

2 DATED: August 13, 2018

KIRBY & McGUINN, A P.C.

3 BY: /s/ Jana Logan

4 JANA LOGAN

5 Attorneys for Defendant

6 U.S. Bank, National Association as Legal

7 Title Trustee for the Truman 2016 SC6

Title Trust

8 DATED: August 13, 2018

LAW OFFICE OF MARK W. LAPHAM

9 BY: /s/ Mark W. Lapham

10 MARK W. LAPHAM

11 Attorneys for Plaintiffs

12 Amelia Saldana, as trustee of the Saldana

13 Revocable Family Trust and Jose G.

14 Saldana, Jr., trust beneficiary

15 DATED: August 13, 2018

16 ANGLIN, FLEWELLING,  
17 RASMUSSEN, CAMPBELL &  
18 TRYTTEN LLP

19 BY: /s/ Michael Rapkine

20 Michael Rapkine

21 Attorneys for Defendants

22 Wells Fargo Bank, N.A. successor by  
merger with Wells Fargo Bank Southwest,  
N.A., f/k/a Wachovia Mortgage, FSB and  
World Savings Bank, FSB ("Wells Fargo")

23 *Judith* The Bank of New York Mellon, f/k/a  
the Bank of New York

24 DATED: 8/15/2018

